

## Quod Superiore Anno

### PAPAL CONSTITUTION EXTENDING THE HOLY YEAR TO THE WORLD<sup>1</sup>

PIUS

BISHOP, SERVANT OF THE SERVANTS OF GOD  
TO ALL THE FAITHFUL WHO READ THESE PRESENTS  
GREETINGS AND APOSTOLIC BENEDICTION

THE extraordinary universal Jubilee which We decreed last year to commemorate the memory of the nineteenth centenary of the Redemption of man, and which now has been brought to a close, has procured for all souls, penitent and purified of their sins who have been elevated from the "earthly house of this habitation" to higher things, so much and such great benefits and Divine consolations, that We cannot fail to give undying thanks to the good God.

In the course of this Holy Year—a benefit which We recognize as having received from the benevolence of the Heavenly Deity—We have seen sons without number hasten, either individually or in groups, to this holy city; We have accorded them audience and have refreshed them with Our paternal words. These throngs belong to all classes of society: to the working people, gaining their bread by their daily labor; to the nobles and the statesmen, all of whom, suffering from the very difficult conditions of these times, have wished—an example truly worthy of every praise—to procure heavenly help not only for themselves but also for all of theirs. Those in the prime of life, and those whom age has enfeebled have not hesitated to undergo the inconveniences of the journey to Rome. It is not only from Italy and neighboring regions, but from countries beyond the sea and from almost all the world, they have come; so that the ancient Roman sanctuaries, the sacred catacombs and the very streets of the city have resounded with pious canticles sung by throngs of the faithful "of every language, every race, and every nation."

<sup>1</sup> Text supplied by N. C. W. C. News Service. The subheadings are not part of the official document.

It was not unusual, renewing the customs of pilgrims to Rome of an earlier day, to see men and women make the long journey on foot to come to Rome to pay a visit to the common Father and to obtain pardon for their sins.

All of these We honor with Our paternal laudation, even more so because the cruel crisis from which we have been suffering for so long a time has not yet been surmounted, many of those who decided to and who accomplished this pious journey having encountered and having surmounted the gravest difficulties.

#### JUBILEE INDULGENCE EXTENDED

However, all those who had the desire to come to Rome not having been able to come here to imbibe from the immense treasures of celestial grace, We have deemed it opportune that, according to the custom and the regulation of the Apostolic See, the Jubilee Indulgence, accorded up to now to the inhabitants of and visitors to Rome, be continued so as to be gained during an entire year throughout the universe.

In order that this salutary benefit may be obtained, We exhort the ministers of the Church, and especially all the Bishops, that—by means of appropriate sermons addressed to their people, by spiritual retreats and holy pilgrimages—they prepare worthily and take pains to excite the greatest number of the faithful to be purified of their sins through the Sacrament of Penance and to gain the grace of the plenary indulgence. Let them admonish them that they pray for Our intention.

As to Our intention, aside from these which We have determined in Our Apostolic Letter "Quod nuper"—that the liberty due the Church be restored throughout the world, that all nations be brought again to peace, concord and a true prosperity—We desire furthermore that the prayers of the faithful implore incessantly a development of the Missions (persevering and giving daily the most fecund results) and the happy return of all dissidents to the one single fold of Christ.

#### PRAYER AGAINST ATHEISM

To Our preceding intention, it pleases Us to add still another that is particularly dear to Us. Indeed in numerous

countries, there is growing a nefarious propaganda, spread by the "Militant Atheists" who, arising with bold audacity against God, arrogantly utter that impious and criminal cry—which is for them their watchword—"Without God, against God!" That is why We deem it all the more opportune that the approaching prolongation of the Jubilee of this year to the whole Catholic universe should be a means of repairing, in whatsoever measure possible, by prayer and expiation, the very great offense inflicted upon the Divine Majesty.

Let all faithful—We beseech this of them—apply themselves to obtaining from the Father of Mercy that the efforts of these perverse men, who are trying not only to destroy all religion but even all true civilization, eventually may be abated and prove in vain. Let them intercede by their prayers and their sacrifices that the Redeemer of mankind strike with the spark of celestial light the blind souls of these deniers and these enemies of God so that, filled with shame and repentance for their crimes, they may return to His paternal embrace.

On this account We intend, before the close of the Jubilee solemnities, to take part, in the Vatican Basilica, in a public prayer on a day which will be fixed later as the most opportune time.

Therefore, by the authority of the omnipotent God, of the holy Apostles Peter and Paul, and Ours, We extend by these Apostolic Letters the great Jubilee of the divine Redemption which has just been celebrated at Rome, to the whole Catholic universe, to the Occidental Church and the Oriental Church, and We prolong it for an entire year—that is to say, that it can be gained from the eighth day after Easter of this year through the entire eighth day after Easter in the coming year, 1935.

#### CONDITIONS SET FORTH

Wherefore, for all the faithful of both sexes—even though during the Holy Year just ended they have already gained the Indulgence of the Jubilee—by Our Apostolic authority, We accord and concede the most complete remission of all the punishment which they have incurred by their sins, to be obtained in the entire universe except at Rome and its sub-

urbs, on condition that they have first obtained remission and pardon for their sins and that, while reconciled through the Sacrament of Penance and nourished by the Holy Eucharist, they have visited with piety during the period prescribed the churches and public oratories designated for this purpose. All this must be accomplished in accordance with the regulations hereinafter stated:

## I

The Ordinaries, either themselves or through approved ecclesiastics—to whom, if it pleases them, they may give this power for the whole year—shall designate for the accomplishment of these Jubilee visits, in the episcopal city, the cathedral and three other churches or public oratories in which, at least from time to time, it is customary to celebrate the Eucharistic Sacrifice; in the suburbs and other parts of the diocese, the parish church of each parish and, within the limits of each parish, three other churches or oratories, as We have said above. In the Oriental Church the Patriarchs and other Ordinaries shall do likewise, either themselves or through the delegated ecclesiastics, but each for his own eparchy or his own diocese.

But in the regions of the Missions, without having to take into consideration the See of the Ordinary and other parts of the territory, the Ordinaries shall designate four churches or public oratories, as We have already said, in each quasi-parish or station of the Mission.

## II

As was done during the last Jubilee Year at Rome, throughout the coming year three sacred visits must be made to each of the four designated churches or public oratories, either the same day or on following days, in such a manner however that the faithful, as soon as they have gone out of the sacred edifice, their visit accomplished, may enter again and without delay make the second and third visits. If it is in a place where there are not four churches or public oratories, the Ordinaries, by prudent choice, either themselves or through their delegates, may determine how the twelve prescribed visits can be made in a smaller number of churches; in such a way that there may be four in three churches, or six in two churches, or even twelve in one church.

## III

So that the prayers recited during the sacred visits may carefully recall to the minds of the faithful and excite in their souls the memory of the divine Redemption and above all of the Passion of Our Lord, We ordain and enjoin as follows: In addition to the prayers which each shall direct to God according to his personal piety, it will be necessary to recite before the altar of the Blessed Sacrament five times the *Pater, Ave* and *Gloria*, and one other time for Our intention; then, before the image of Jesus Christ crucified, shall be said three times the *Credo* and once the prayer *Adoramus te, Christe, et benedicimus tibi*, etc., or a similar ejaculation; then, before the image of the Blessed Virgin, one must recite, while meditating on her sorrows, seven times the *Ave Maria*, and add once the prayer *Sancta Mater, istud agas*, etc., or a similar one; finally, united before the image of the Blessed Sacrament, the faithful shall affirm devotedly their Catholic Faith by the usual formula of the *Credo*. (Refer Apostolic Letter "Quod nuper," January 6, 1933.)

As to the Oriental Church, the faithful when they make their Jubilee visits and pray publicly, either before the Blessed Sacrament, the Crucifix or the image of the Blessed Virgin, or for Our intention, or finally when they affirm their Catholic Faith by the prescribed formula, shall conform to the dispositions which, according to their divers rites, shall be announced at the proper time to their Patriarchs and other Ordinaries by Our Sacred Congregation for the Oriental Church. Furthermore, power is given to each of the Ordinaries to substitute others for the prayers prescribed for the sacred visit when that visit is made individually. Likewise, the faithful of the Oriental Church who live outside the limits of their territory, if they unite with pilgrims of the Latin rite, can use the formulae of prayers prescribed for the Latins; if they make the visit individually, it is permissible to recite the formulae of their own rite or of the Latin rite.

## IV

Considering that certain prayers should be recited before Jesus Christ hidden under the Eucharistic veils, the Ordinaries shall see to it that the churches or public oratories designated shall be chosen from among those where the au-

gust Sacrament is legitimately preserved on the altar, or at least in those where, during the time of the sacred visit, the Presence is assured. If, because of certain circumstances of place—especially in Mission countries—it is impossible to do this, nevertheless one must not omit any of the prayers prescribed for the Jubilee visit. As to the prayers to Jesus in the Eucharist, even though the Blessed Sacrament is not present, the faithful must nevertheless address themselves to the august Sacrament in thought and with the soul full of veneration, so as to render the most lively thanksgiving for the admirable gift of the Eucharist in order to offer expiating reparations for the offenses committed against this very Sacrament. Under these circumstances, the profession of Catholic Faith can be made before the image of Jesus Christ crucified.

## V

So that Jubilee visits may be undertaken and fulfilled with more ease, faculty is granted to the faithful to make these outside the limits of their parish or their diocese; but they must occur in the churches legitimately designated for each place. This concession, with respect to each of the particular points, is accorded likewise to the Mission countries.

## VI

We decree furthermore, as was done at Rome during the Holy Year just ended that the faithful may gain this Indulgence of the Jubilee for the deceased as many times as they fulfill the conditions duly imposed; in such a way, however, that they do not perform any act to gain a second Jubilee before having completely ended the works commenced for the first.

## VII

Out of consideration for those who find themselves in particular circumstances of state or place, We establish as follows:

1. Seamen and all those who work on ships, if the ship on which they travel has a chapel where sacred ceremonies are permitted, can accomplish the Jubilee visits. In a contrary case, We accord to them, when they put into port, the privilege of making there in any church the Jubilee visits by reciting the prescribed prayers.

2. The Ordinaries, either themselves or through their delegated ecclesiastics, if certain of the faithful are prevented from making the visits as they have been commanded, may reduce the number of visits, or the number of churches to be visited, or, finally, substitute other works of piety and charity for the sacred visits according to the particular condition of each. In the number of those who are thus prevented, We wish to include Monks, Sisters, Tertiaries Regular and those pious women and young girls or other persons who are living in boarding schools or retreat houses; also the anchorites leading the monastic life and the regular life and devoting themselves to contemplation rather than action, such as the Reformed Cistercians of Our Lady of the Trappists, the Camaldulensian Hermits and the Carthusians; also, all those who are captives or imprisoned; ecclesiastics and religious who, on penance, are detained in monasteries or other houses.

Also considered as prevented are those who, at home or in hospitals, are ill or of feeble health, and likewise all those who care for the sick; in a general fashion, all those who, because of a definite impediment, cannot make the prescribed visits. We wish to accord the same advantages to the workers, of whom We have spoken in the Constitution *Qui umbratilem vitam* of January 30, last year; also to the aged who have passed the age of seventy years.

#### PRESCRIPTIONS FOR VARIATIONS

3. It is also permitted to Ordinaries—or to their delegates as We have said above—to prescribe a less number of visits: (a) to clerical or religious associations approved by ecclesiastical authority; (b) to confraternities, to sodalities and even to associations composed only of laymen having as their purpose the promotion of Catholic works; (c) to young people living in schools or attending them daily or on fixed days for their instruction and education; (d) to all the faithful who, under the leadership of their pastor, of a priest delegated by him, or of another priest—but only where there is no regularly constituted parish—undertake the making of the visits. But for this diminution of the number of visits, the Ordinaries must follow this regulation: All those of whom We have just spoken must go to the churches in procession, even if without their insignia, to make the visits.

4. Wherever, for no matter what cause, it is impossible

to pass thus through the public streets, it will be permissible, as above, for the Ordinary or his delegate to reduce the number of visits provided that they are confined within the sacred edifice and carried out with due pomp, or at least so that the visit is made solemnly and in common by the whole assembled group. Neither the Ordinary, however, nor his appointed delegate, can dispense with the obligation of the sacramental confession and Holy Communion unless someone is prevented from receiving the one or the other because of serious illness.

### VIII

#### FACULTIES OF CONFESSORS

With regard to the faculties that are to be given to confessors who otherwise meet the requirements of the law, and of which salutary use is to be made in hearing the Jubilee confession, We decree as follows:

1. Confessors shall enjoy to the full all the powers, either perpetual or temporary, of absolving, dispensing, commuting, which they shall have obtained legitimately from the Apostolic See; but within the limits of the concession.

2. For nuns and other women to hear whose confessions special approbation of the Ordinary is required according to the prescriptions of the Code, it is permissible that they select as their Jubilee confessor any confessor who has been approved by the Ordinary of the place for both sexes. To the confessor who is selected We grant that in hearing the Jubilee confessions he may exercise all the faculties which by the power of this Apostolic Constitution he already has for all the faithful.

3. To all confessors We accord the authority, during the Holy Year, in the tribunal of conscience in the course of the sacramental confession, and by themselves only, to absolve any penitent not only of all the censures and sins reserved by law to the Sovereign Pontiff or to the Ordinary, but also of censure *ab homine lata*. But absolution from this censure shall not have effect *in foro externo*.

### IX

These very extended powers must be used only in conformity with the following rules and exceptions:

1. Confessors shall not absolve, except in the circum-



stances and according to the prescriptions of Canon 2254 of the Code of Canon Law, those who have incurred a censure reserved personally to the Roman Pontiff or reserved in a most special manner (*specialissimo modo*) to the Apostolic See.

Likewise, they shall not absolve, except according to the prescriptions of Canon 900, those cases which fall under the head of a case reserved to the Holy See, in conformity with the decree of the Sacred Apostolic Penitentiary of November 16, 1928 (*cf. Acta Apostolicæ Sedis*, vol. XX, p. 398); by virtue of this decree, nevertheless, even after absolution has been obtained, there remains the obligation of having recourse to the Sacred Penitentiary and of submitting to its decisions.

2. Likewise, confessors shall not absolve, except according to the prescriptions of Canon 2254, prelates of the secular clergy enjoying the ordinary jurisdiction *in foro externo*, nor the superiors of the exempt Religious who have incurred publicly an excommunication reserved *speciali modo* to the Holy See.

#### FURTHER ABSOLUTION RULES

3. They cannot absolve heretics or schismatics who have taught errors publicly, unless these, after having abjured their heresy or their schism at least before the confessor himself, have already repaired properly the scandal or have promised to make proper amends.

4. Likewise, confessors shall not absolve those who, even secretly, shall have subscribed to condemned sects, Masonic or others of that nature, unless after having abjured the sect at least before the confessor, they have repaired the scandal and ceased to lend all active coöperation or all aid to their sect or to any other; unless they have denounced, according to the prescriptions of Canon 2336, paragraph 2, the ecclesiastics and the religious who, to their knowledge, have been affiliated with the sect; unless they have delivered to the confessor from whom they have asked absolution the books, manuscripts and insignia which pertain to their sect whenever they shall have had them in their possession, or transmitted them as soon as possible to the Holy Office, or at least—and for grave and just causes—they have themselves destroyed them; otherwise, they must promise sincerely to fulfill the

conditions indicated as soon as possible; besides, there shall be imposed upon them a serious salutary penance for their faults and the obligation of confessing frequently.

5. The unauthorized acquirers of ecclesiastical property or rights shall be absolved only on condition of restitution of such property or of sending immediately to the Ordinary or the Apostolic See a request for terms, or at least a promising sincerely to make the said *compositionem* unless there is question of places concerning which the Holy See has already otherwise made provision.

#### COMMUTATION OF VOWS

6. The confessors themselves for a just cause can commute into other pious works all the private vows without exception, even those which are reserved to the Holy See, as well as vows taken with oath. As to the vow of perfect and perpetual chastity, even though originally it has been taken publicly at the time of a simple or solemn religious profession, and subsequently, dispensation of other vows of this profession having been obtained, it has remained valid and obligatory, confessors can, for a grave cause, commute it into other pious works. In no manner, however, can they dispense from this vow those who, by force of a holy Order, are bound by the law of celibacy, even though they have been reduced to the lay state. They shall avoid commuting vows to the prejudice of a third party without the free and formal consent of the one interested. As to the vow of not sinning, or any other penal vow, they shall avoid commuting them unless they impose a work which removes and preserves them no less from sin than the vow itself.

7. Confessors can dispense, but only for the tribunal of conscience and in sacramental confession, from any irregularity whatsoever resulting from an absolutely secret offense; likewise they can dispense when it is a question of the irregularity dealt with in Canon 985, paragraph 4; but for this purpose only, that the penitent may exercise without danger of infamy or scandal the orders which he has already received.

8. Confessors can dispense even, for the tribunal of the conscience and in sacramental confession only, from a secret impediment of consanguinity in the third or second of the collateral line (sixth and fourth according to the Oriental calculation), even approaching the first degree (fourth or

third of the Orientals), when that impediment has sprung from an illegitimate birth; only, however, to validate a marriage and not to contract one.

9. If there is a question of a marriage either contracted or to be contracted, they can dispense with the secret impediment of crime on condition that neither the one nor the other is guilty of machination; demanding, in the first case, the private renewal of consent according to Canon 1135; imposing in both cases a salutary penance both serious and prolonged.

10. With respect to the visits to the four churches, confessors for all those who, with just cause, are unable to make the visits in the manner prescribed, have the power to dispense from the visit to some church, changing it—if possible—to a visit to another church, or reducing the number of visits. For each of those who, ill or having another legitimate impediment, cannot visit the churches indicated, the confessors shall substitute for the prescribed visits other pious works which they are capable of fulfilling. At all times the confessors must recall that they are burdening their consciences if, inconsiderately and without just cause, they exempt the faithful from these visits. To those for whom they have dispensed the visits, they must not accord a dispensation from praying for Our intentions, since these prayers can be separated from the visit; only in favor of the sick is it permissible to reduce them.

11. As to the obligation of the prescribed confession, for the fulfillment of which neither an unworthy confession nor the annual confession of precept can count, no one can be dispensed, not even those who have not the necessary matter for confession.

12. As to Holy Communion, it is forbidden to substitute for this precept other pious works, except for the sick when it is absolutely impossible for them to communicate. But We admit, as sufficient for the purpose of the Jubilee, Communion under the form of the Viaticum, but not the obligatory Pascal Communion.

13. As the confessors know, they may use all the powers in question with respect to the faithful of the Occidental as well as the Oriental Church, in the case of all those who present themselves to them for confession with the sincere and firm intention and will to gain the Jubilee Indulgence.

They can use only once, in the case of one and the same penitent, the faculties to absolve from sin and the ecclesiastical censures and to dispense irregularities—that is to say, when that one gains the Indulgence of the Jubilee for the first time; they shall have this power only when the penitent has not already been absolved from the sins and censures and dispensed from the irregularity by another confessor since the Octave of Easter of this current year.

For the benefit of one and the same penitent, they can likewise always use the other faculties—even that of reducing or of commuting the visits according to the rules specified in number 10.

#### FURTHER CONCESSION TO SICK

Furthermore, in the case of certain ones having commenced the prescribed works with the intention of gaining this Jubilee but not having been able because of sickness to fulfill the number of prescribed visits, eagerly gracious to recognize their piety and resolute will, We decide—if they have duly confessed and received Holy Communion—that they gain the Jubilee Indulgence just as if they had fulfilled all the required works.

Consequently, We desire that all the dispositions and declarations of the present Apostolic Letters shall retain force and validity in view of extending the grace of the Jubilee to the Catholic universe, all things to the contrary notwithstanding. We ordain that copies or extracts of these present letters, carrying the signature of a notary public and the seal of an ecclesiastical dignitary, be accorded the same credence that would be given this original copy if it were shown.

No one, therefore, shall have the right to alter these terms of Our concession, will and declaration, or to oppose them by a foolhardy audacity. If anyone dares to attempt it, he shall incur, as he knows, the indignation of the omnipotent God and the holy Apostles Peter and Paul.

Given at Rome, at St. Peter's, April 2 of the year 1934, in the thirteenth year of Our Pontificate.

TOMMASO PIO, O.P., CARDINAL BOGGIANI,  
*Chancellor of the Holy Roman Church*

Lorenzo Cardinal Lauri,  
*Grand Penitentiary*

## Gil Robles and Spanish Politics

P. McBRIDE

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THE election organization of the Catholics in Spain was acclaimed as the most efficient of all parties, and responsible for this to a degree which places him far above his comrades is the young lawyer, Don José María Gil Robles. It was through his tact and thoroughness that the various Catholic sections, Acción Popular, Renovación Española, Agrarians, Traditionalists and Independents, were able to show such a united front. Also to his directing mind is due the capable and courteous way in which the "Rights" conducted their campaign in the face of severe provocation.

The son of a distinguished professor of law of the University of Salamanca, Gil Robles was born on the 27th of November, 1898. Educated by the Jesuits and Salesians, in 1914 he entered the University of his native town to study letters and law. Here, with the energy and organizing ability which are so characteristic, he founded a magazine to cater for the literary and political effusions of his fellow undergraduates. Soon the readers of the new periodical were almost as numerous outside the University as inside; its circulation ran into thousands of copies, and I am told that many found their way into the Irish College, "El Colegio de Nobles Irlandeses" of Salamanca. That the success of the magazine depended on the brains and personality of its founder is shown by the fact that it ceased publication when he left for Madrid on the completion of his Licentiate.

In 1919 Gil Robles obtained first place in the Licentiate of Law at the University of Salamanca, and three years later we find him heading the list in the public examination for the professorship of law in the University of La Laguna. In the meantime he had completed his military service, taken out his doctor's degree, and had already acquired a promising practice in Madrid.

In June, 1922, before the result of the examination for the professorship was announced, Don José joined the staff of

Spain's foremost daily, *El Debate*. He was immediately co-opted on the editorial council, and his ability was so quickly appreciated that soon afterwards he was made assistant-director of the paper. Here he found himself side by side with Don Angel Herrera, who, with his brother Francisco, has done such excellent work in the cause of Catholic Action in Spain. Robles resigned his University chair before he had given a lecture, and put all his energy into his legal practice and the direction of *El Debate*.

The new director's first intimate contact with public life came in 1923 when, at the age of 25, he began to work wholeheartedly for the new "Partido Social Popular." This association, which may be regarded as the "Acción Popular" in miniature, had as aim to unite members of all political parties, provided their first interest was Catholicity. Also to claim his devoted attention came "Acción Católica," and in it Gil Robles became the recognized expert organizer of youth—the "Juventudes Católicas."

In these days he visited every corner of Spain giving conferences and forming branches of "Acción Católica." Perhaps no other politician of present-day Spain knows the people of every province as he does. And not only has he traveled extensively in his native land, but one after the other, in the interests of his paper or his desire for more ideas on the organization of "Juventud Católica," he has visited France, Belgium, Holland, England, Germany, Italy, North and South America, and parts of Africa and Asia. One month we find him in the States studying the organization of the New York *Times* in search of ideas for *El Debate*; another in Cambridge examining undergraduate and graduate associations of the University, or in Belgium taking notes on its agrarian syndicates.

With such an accumulation of intelligence, energy and experience of Spain and abroad, it is difficult to imagine a better prepared leader of Catholic public life than Don José Gil Robles.

Founded just before the elections and perhaps his greatest work, "La Confederación Española de Derechas Autónomas" facilitated the union of Catholics of varying shades of politics in order to contest the elections on an anti-socialist basis. Their interests could differ in non-essentials, but if their outlook was fundamentally Catholic Gil Robles showed them the

only way to political victory. His enthusiasm and logic persuaded the five Catholic parties to adopt a united anti-Marxist manifesto, and while leaving to each group the freedom to develop its own particular campaign, a minimum program was espoused by all. This consisted in these three outstanding points to which all pledged themselves:—

- (a) Revision of the Religious Laws.
- (b) Recognition of agriculture as the foundation of Spanish prosperity.
- (c) Amnesty for political prisoners.

On other points of policy the individual parties of the compact were free. Considering that these parties range from most loyal monarchist to staunch republican it needed all the tact and good generalship of Gil Robles to hold them united for the critical period of the elections. In this he succeeded, and so must be recognized as the main factor in the victory of the "Rights."

As undoubtedly in Parliament Robles will be the directing mind of the Catholic and Conservative "Right," it will be of interest to trace briefly his views on some of the gnawing questions of contemporary Spain:—

(1) *Private Property*.—Communism, which in recent years has been carrying on an exceedingly active propaganda in Spain, receives a solid and constant fire from the speeches and articles of Gil Robles. He holds private property to be of *natural right*, because it facilitates the necessary elements to realize man's end. In this he opposes the Communistic doctrine which, examined from the purely practical standpoint, commits what he calls "the psychological mistake of overlooking the enormous incentive of personal interest." In a speech of over two years ago (October 6, 1931), he summed up this point in the words of Young: "Give a man the peaceful and secure possession of a rock and he will convert it into a garden."

But private property is *not an absolute right*. In the normal administration of property the personal or individual element should predominate, whereas with regard to the actual products and their proper distribution and utilization the collective interests of the community must be of almost equal consideration. Thus the rights and the use of property are limited by all those social considerations born of the substantial equality of the human race and of the duties which

must be fulfilled in every national entity. From this may be deduced the obligation of the State to compel the due performance of these social duties if the individual cares not or knows not how to fulfil them. But the State has only limited rights over private property, and, above all, it has no right to proceed to the Communistic nationalization of the country. Its position should be more that of an inspector and advisor who, however, holds the power of controlling the capitalists who maintain the "*jus utendi, fruendi et abutendi*." As each proprietor has a duty to the community, so the State has the obligation of insisting on that duty being performed by all, thus distributing the onus equally and protecting the individual from having to bear an undue share.

In a recent speech Gil Robles posed the problem and announced his solution in very clear terms: "At this moment two diametrically opposed concepts of property are struggling for supremacy: (a) The Individualistic Principle according to which property entails an unlimited right of use and enjoyment which the State must defend. It considers labor a mere merchandise to be regulated by the law of supply and demand. (b) Opposed to this egoistic and unrestricted concept of ownership and labor, arises the Socialist State. . . ."

We defend that concept of property which declares that it is not an absolute right but a right limited by obligations of justice, of charity, of Christian solidarity; that labour is not merchandise but a coöperating element in the work of production and that we must bring about a true harmony of social classes by an intelligent intervention of justice.

2. *Regionalism*.—In Spain many factors tend to make centralized government a difficult problem. Tradition, always powerful in the peninsula, keeps alive the memory of the independent kingdoms which flourished before the advent of the Catholic Monarchs. The mountainous nature of the country, with the consequent difficulty of communication, has helped this memory of the past; it has fostered local customs; it has tended to make the people provincial and often almost to forget that they form part of a big nation. Most of us have read of the separatist movement in Catalonia, and sometimes do not realize that what became so prominent in that region exists in a milder form elsewhere. Galicia, the picturesque home of the Milesians, retains more than its "*gaita*" or Celtic pipes to remind it of its inde-



pendent past, and only a few months ago the Basque Provinces voted solidly for a form of local autonomy. Just as was the case with her American colonies in the last century, today the germs of disintegration are active in Spain herself.

A man of quick action, the leader of C.E.D.A. recognizes that this delicate question must be settled in the present generation. It has been shelved in the past, but no statesman can fail to see that it can be postponed no more. No one better than Gil Robles is aware of the separatist tendencies of sections of the Spanish people; with his wide experience of every province of the country he recognizes the differences of interest and traditions and the great benefit that local administration could be. But, putting Spain first, he thinks that a federal republic would bring disadvantages to counterbalance the gains; it would accentuate the differences already existing; it would be a greater strain on Spain's finances; it would bring about a multitude of inconveniences arising from distinct local legislation, and as a general rule no local government could be equipped with the efficient personnel of the central authority, for its choice and its means would be more restricted. But, of course, the greatest of all disadvantages would be the risk of national disintegration. On this point let us cite the words of the central committee of Acción Popular, of which Gil Robles was President: "The most elemental foresight obliges us to declare that if the non-concession of regional autonomy constitutes a danger for the *régime*, its concession would be the origin of dangers no less grave for Spain."

Therefore, Gil Robles' attitude on the question of Regionalism is that it is dangerous to change an unpalatable system for one likely to be equally unsatisfactory if not worse. Better far that the existing form of government be adapted more to local needs, as this would be fraught with less risk to Spain and more probability of ultimate success.

(3) *Church and State*.—Regarding religion, Don José maintains that Spain is fundamentally Catholic, and the politician or legislator who proceeds on any other basis is deceiving himself and is even anarchical and provocative of disorder. As to the relations of Church and State, his ideal, which he believes impractical at the moment, is that of the thinking Catholic advancing by steps logical and irrefutable. "The relations of Church and State," he says, "must be regu-

lated by the superiority or inferiority of their respective ends. The State aims at the merely material and temporal; the Church at the supernatural, and as such must be regarded as superior. In pure theory we must assert logically that the temporal should yield to the eternal, but in practice I do not hope for the immediate realization of this ideal." Later he propounds what he considers the practical requirements of the day:

We must mould ourselves in accordance with the needs of the moment and the first of those needs is that Catholics be granted a freedom which up to now has been denied them. That freedom consists in the recognition of the independence of the Church in its essence, in its means, and in its ends, a freedom so that the Church may live and practise its apostolate without fear. This is our standpoint in the circumstances of the moment. And I tell all those who attack this position of ours that the greatest pride of my public life is to have defended it in Parliament and to have had that defence rewarded by the express approval and benediction of the Church.

The immediate result of Gil Robles' activity in the Cortes and outside is that a concordat is being arranged with the Vatican, and that no less a person than the Minister, don Leandro Pita Romero, has been appointed Spanish Ambassador to the Holy See.

(4) *The Land*.—This question, one of the most serious the new Government has to face, has its root in a very unequal change of prices from 1914 to 1934. In many cases this change means that the cost of production is not covered by the prices obtained for agricultural products. During the last twenty years the cost of living has increased about 100 per cent; the farmer who bought a plow for 90 *pesetas* in 1914 now pays 160; the phosphates which cost two *duros* cannot be obtained for less than four; labor has increased at least 150 per cent; clothes have undergone a similar increase, and nevertheless wheat which in 1914 sold at 70 *pesetas* sells today at only 96, a price completely out of relation with what the farmer has to pay for his various needs. Only quite recently the Bank of Spain, in a well-documented memorandum, deplored the delay in taking measures to deal with this grave peril to the economic life of the nation.

Towards the end of the last Cortes Gil Robles and his very small following took an active part in trying to rectify this state of affairs, and received the public compliments of

the Socialist Minister for Agriculture, who, however, took no effective measures to cope with the situation. At that time Robles proposed (1) a radical revaluation of agricultural products; (2) all transactions connected with land to be investigated and regulated; (3) extension of credit to the farmer then, and still, almost impossible for the small proprietor. In conjunction with agriculturists of the Salamanca district he entered into a minute study of the possibilities of this last point and presented the results of his labors to the House. At that time he was complimented and his advice disregarded; now, with a more sympathetic Government in office, he expects a kinder fate.

(5) *Political Tactics*.—To accomplish his program Don José does not see eye to eye with many members of the parties of the Right, some of whom favor extreme means, and others in a spirit of despondency accept the actual state as inevitable; but none state their intentions as unequivocally as Gil Robles; (1) Essentials must take pride of place, or in other words, fundamentals, as Religion, Family, Fatherland, Social Order, must be safeguarded even to the complete sacrifice of secondary convictions. (2) We must submit to Constituted Authority; and (3) the fight for our rights must be conducted within the realm of legality.

These last two principles are best explained in the words of their exponent:

One of the component elements of the political state is submission to authority without which society cannot exist. When I say "submission to constituted authority," I don't necessarily mean a voluntary submission, nor do I say adhesion, nor conformity, nor enthusiasm, nor active collaboration; but I say obedience. That is to say, we defend this point as essential for the existence of a civilised society and as a recognition of a power which comes from God even though at the moment it may be in unworthy hands. But this submission is to authority and not to the unjust acts which emanate from that authority, so much so that we declare to the country that we reject all the persecuting legislation of the present Spanish Republic and that we shall fight ceaselessly until we obtain, as we shall soon, its complete revision.

To obtain our end there are two possible courses: the *coup d'état* which could be the quicker and the more radical; and that which we stand for, the slower but more orderly combat within the bounds of legality. The first I don't reject, but I regard it as the solution only in the case of extreme necessity, a position in which, fortunately, we do not find ourselves. We have already seen that the second is gradually bringing us nearer our goal.

Undoubtedly they are getting nearer their goal. Most of the "Rights" who had been sentenced for their part in the Seville rising have been removed from the common prison to the custody of the military, where they are treated as political prisoners; already the Government has issued orders that Don Juan March, who made such a spectacular escape from jail on the eve of his election to the Cortes, be not arrested on his return to the country; as mentioned above, a concordat is being arranged with Rome and a Minister of State sent there as Ambassador; and the latest advance has been the reading by the Minister for Justice of his project for the complete pardon of two deputies of the Right, Calvo Sotelo and Benjumea, who had been condemned by the supreme court of the land.

We do not say that Don José is solely responsible for these victories, but certainly he may be regarded as the mind which directs the advance. Frigidly efficient as an organizer, his direction was invaluable in the elections. Inspiring as an orator, his eloquence only thrives on interruptions and heckling. A clear and logical writer, his various works on Constitutional Law and Politics quickly find their way to the Universities and classrooms. As his sincerity and courage are not doubted, Gil Robles seems the man with all the requisite gifts and experience to divert the grave dangers which assail Religion and Spain.